

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CYRUS SANAI,
Plaintiff,
v.
ALEX KOZINSKI, ET AL.,
Defendants.

Case No. 4:19-cv-08162-YGR

ORDER: (1) GRANTING IN PART AND DENYING IN PART ADMINISTRATIVE MOTION; (2) VACATING MOTION HEARING DATE; AND (3) EXTENDING TIME TO SERVE REMAINING DEFENDANTS

Re: Dkt. No. 34

The Court has reviewed *pro se* plaintiff Cyrus Sanai's administrative motion requesting that the United States Marshals serve the remaining unserved defendants – Judge Robert L. Hunt, Judge Robert H. Whaley, and the Judicial Council of California – and that Sanai be permitted ninety (90) days in which to respond to defendants' motion to dismiss. (Dkt. No. 34; *see also* Dkt. No. 36 (motion to dismiss).) The defendants in this matter do not oppose these requests, although they clarify and respond to certain representations made by Sanai in the administrative motion. (Dkt. No. 35.) Having reviewed the administrative motion, in light of defendants' non-opposition, and for good cause shown therein, the Court **GRANTS IN PART** the administrative motion with respect to Sanai's request for an extension of time to file a response to the motion to dismiss. Sanai's response is due on or before **September 30, 2020**. Defendants' may file a reply to Sanai's response to the motion to dismiss on or before **October 30, 2020**. The Court further **VACATES** the August 4, 2020 hearing date on the motion to dismiss. At the conclusion of the parties' briefing, the Court may reset the hearing on the motion to dismiss.

The Court however **DENIES IN PART** the administrative motion with respect to Sanai's request for service on the remaining defendants by the United States Marshals. Sanai has not demonstrated that substituted service as permitted under the Federal Rules of Civil Procedure is an

inadequate alternative method of service. The Court further **EXTENDS** the time on which to serve Judge Hunt, Judge Whaley, and the Judicial Council of California to **August 31, 2020**.

This Order terminates Docket Number 34.

IT IS SO ORDERED.

Dated: June 29, 2020


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT JUDGE

United States District Court
Northern District of California